Appendix XI.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

Revenue Department.

COMMUNICATION TO THE LEGISLATIVE COUNCIL, No. 2870-D/33-1, DATED 1st SEPTEMBER 1933.

With reference to the answer given to question No. 27 at the meeting of the Legislative Council held on 1st August 1933 the annexed statement containing the statistics of revenue derived from the sale of toddy shops and the amount of tree-tax paid by sweet toddy drawers in the districts of East and West Godavari for certain years is laid on the Table.

Annexure.

East Godavari district.					West Godavari district.				
Toddy year.	Rentals of toddy shops sold.	Tree-tax realized on trees tapped for fermented toddy for domestic consumption by sweet toddy drawers.			Toddy year.	Rentals of toddy shops sold.	Tree-tax realized on trees tapped for fermented toddy for domestic consumption by sweet toddy drawers.		
	RS.	RS.	A.	P.		RS.	RS.	A.	P.
1929–30	2,99,058	2,173	2	0	1929–30.. ..	4,09,608	14,655	0	0
1930–31	2,42,028	1,430	10	0	1930–31.. ..	3,25,752	10,241	4	0
1931–32	1,45,071	1,741	12	0	1931–32.. ..	1,19,984	13,053	12	0
1932–33 .. .. (to date)	2,28,276	1,775	8	0	1932–33.. .. (to date).	2,56,680	14,133	12	0

J. A. Thorne,
Secretary to Government.

Appendix XII.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

Development Department.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 55 at the meeting of the Legislative Council held on 2nd August 1933, a copy of the memorandum (annexed) received from the South Kanara Catholic Association addressed to the Hon'ble the Law Member is laid on the Table of the House.

C. A. Henderson,
Secretary to Government.

30th October, 1933]

ANNEXURE

Memorandum from the Catholic Association of South Kanara.

The Catholic Association of South Kanara, which represents the Catholic Christians of this district and has been working for their welfare for over 17 years, submits this memorandum in continuation of the letter No. 26, dated 1st May 1933, addressed to you by the Honorary Secretary of the Association, to the Secretary to Government, Revenue Department, of which a copy was sent to you No. 29 of 3rd May 1933.

The letter referred to forwards a resolution passed unanimously at a general meeting of this association, urging the suspension of the order cancelling the concessions granted to villagers in reserve forests including Hosabettu and Todar which affect a large body of Catholics.

A petition on the same subject was previously submitted, on the 2nd April 1933, to the Secretary to the Government of Madras, Development Department, through the Secretary of the Landholders' Association of South Kanara, and Mr. J. A. Saldanha, ex-M.L.C., accompanied by a note.

Our association fully endorses the statements made in that petition and the accompanying note and begs that the order of withdrawal of concessions may be cancelled, or, at any rate, suspended pending further enquiry, for the reasons appearing in this memorandum.

The Hosabettu and Todar reserves were constituted reserved forests on the 1st September 1888 and 15th December 1890, respectively. In 1921, the question of their disforestation was raised in the Madras Legislative Council, but Government stated that the Chief Conservator of Forests agreed with the local officers that they could not be disforested, that they contained the growth required for the fuel supply of Mudabidri, Bantwal and Mangalore, and these areas were included in Class IV of Reserves (vide Proceedings of the Legislative Council, Volume II, No. 7, pages 533 to 535). It is to be noted that there was no mention at this time that there were timber trees of any kind in these forests, and further, Class IV in which they were placed were "Fodder and Fuel Reserves." Government at the same time ordered that the prohibition of the removal of manure leaves should not be enforced in those parts of South Kanara district where such removal was not opposed to the interests of forest conservancy. Subsequently the removal of green and dry leaves, fuel, etc., was allowed, not only in the two reserves referred to above, but also in other reserves; and these concessions, essential to the villagers for agricultural and domestic purposes, have been enjoyed by them all along.

We submit that in ordering the cancellation of the concessions in question the forest policy of Government has been totally overlooked. This policy is described in the resolution of the Government of India, dated 19th October 1894, and is included in the appendix to the Forest Code. We beg to quote below the relevant portions of this resolution:—

The needs of communities dwelling on the margin of forest tracts consist mainly in small timber for building, wood for fuel, leaves for manure and for fodder, thorns for fencing, grass and grazing for cattle and edible forest produce for their own consumption. Every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of these needs. . . . It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction . . . . It should also be remembered that, subject to certain conditions to be referred to presently, the claims of cultivation are stronger than the

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claims of forest preservation. . . Such restrictions as may be necessary for the preservation of the forest or for the better enjoyment of its benefits should be imposed. But no restrictions should be placed upon reasonable local demands merely in order to increase the State revenues. . . The inferior subordinates of the Forest department are perhaps as reliable as can be expected on the pay which we can afford to give, but their morality is no higher than that of the uneducated class from which they are drawn, while the enormous areas over which they are scattered and the small number of controlling staff render effective supervision most difficult. It is not right in order to protect the grass or grazing dues on plots of wastes scattered over the cultivated district, to put it into the power of an underling to pound or threaten to pound cattle on the plea that they have overstepped the boundary between their owners' field and the next. It is to be distinctly understood that the Government of India do not desire that the grazing should be looked upon primarily as a source of revenue.

The Royal Commission on Agriculture expressed its entire agreement with the forest policy of Government and declared that the forest should be the handmaid of agriculture.

We would in this connexion recall the words of Sir Thomas Moir in the Legislative Council (Legislative Council Proceedings, Volume 35, page 304): "We do not forget and have never forgotten that its (the Forest department's) main object is to supply the needs of the people and it must pay attention to the facts that the ryots do require fuel, that they require timber for houses, that they require implements for agriculture and that they require grazing for their cattle." We submit that the reservation of Hosabettu and Todar reserves was opposed to the generous and statesmanlike policy laid down by Government for adoption by the Forest department, endorsed by the Royal Commission on Agriculture and restated in the Legislative Council by the Government's spokesman. These two reserves are very small ones—being 468 and 401 acres in extent; they are isolated and are right in the midst of cultivated lands and homesteads of ryots who have from times immemorial enjoyed the rights in question. To use the words of the Government of India's resolution "*the claims of cultivation are stronger than the claims of forest preservation*" with respect to these reserves. There are extensive forests in South Kanara district which are quite adequate for the present as well as future supply of fuel for this district; and casuarina plantation is besides being largely carried on, and at little cost, in waste lands and there is ample scope for the extension of such plantation. The reservation of reserves in question for the supply of fuel to Mudabidri, Bantwal and Mangalore, which was as stated above, the reason given in 1921 for their reservation, was therefore quite unnecessary, especially as the two latter places are not within easy reach of river or sea and can more economically get their supply from the large forests.

In 1923 these reserves were brought under the Forest Village System. The restriction sought to be imposed on the continuance of the immemorial custom of removal of dry and green leaf for manure had already been removed and this concession had been ordered to be allowed in all the forests of the district by the Chief Conservator of Forests without linking it to the village system, as attempted by the local officers (vide Mr. Tireman's speech—Legislative Council Proceedings, Volume 17, page 730). Further, the Chief Conservator, in response to the requests of villagers, made arrangements for the removal of poles for betal leaf and plantations

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and for the withdrawal of restriction regarding the removal of lantana (Legislative Council Proceedings, Volume 35, page 708). And the nature of the growth in these reserves was described to be " forest mainly of fuel with few or no timber trees."

Reserves, placed in 1921, in Class IV which do not include timber trees, and in which the nature of growth was in 1923 found to be forest, mainly of fuel with few or no timber trees, are, *for the first time, in the Government Order cancelling the concessions, described as " Sandalwood Reserves."* The sandalwood plants, now in these reserves, must have grown as a result of the protection from fire, etc., afforded by the villagers, and the reward for their protection is a conversion of these reserves from fuel to sandalwood reserves, and the withdrawal of concessions enjoyed from time immemorial.

While the reservation of these reserves for fuel was unnecessary, their reservation as sandalwood reserves, i.e., for the purpose of income is quite unjustified and entirely repugnant to the forest policy already described. For, the Government of India's resolution lays down that *every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of their needs for fuel, manure, fodder, etc., and that considerations of forest income are to be subordinated to that satisfaction.* Sandalwood plants are to be found in unreserved forests also in this district; and their growth in the reserve in question is not extraordinary. *The income to be derived from them after a long period of years would be more than offset by the expenditure that have to be incurred for their conservation, and will be quite disproportionate to the losses, and sufferings that will have to be endured by the villagers by the deprivation of manure, fuel, fodder, etc., as represented by their representatives in the Legislative Council (vide Legislative Council Proceedings, Volume* 41, *pages* 216–220, *Volume* 53, *pages* 117–173.)

That there were such abuses as are said to exist now was admitted several years ago in the Legislative Council; but the abuses were no doubt considered trivial, as the concessions were continued, and the Administration Report of the Forest Department for 1930–31 stated that the Forest Village System has worked satisfactorily in the Mangalore division of this district. Why now it should be thought that these trivial abuses justify the withdrawal of the concessions is not clear. *Perhaps the clue to the action taken is supplied by the reserves being for the first time described as sandalwood forests. It is now apparently thought by the local forest authorities that the continuance of the concessions may be prejudicial to the sandalwood plants to be found in these reserves. These authorities obsessed by the idea of income have lost sight of the main principles of the forest policy and made the forest not the " handmaid of agriculture "* but *its stern mistress.* The forest policy was no doubt the result of a full consideration of all the facts ; and we submit that this policy should be adhered to strictly and that the local authorities should not be allowed to whittle it down in their zeal for forest income, or even in their desire to supply the need for fuel of distant localities.

Sir Archibald Campbell said in the Legislative Council on 16th March 1928: *The forests of the province are classified into two classes:—the provincial forests and ryots' forests. The provincial forests include those which it is desirable to work commercially and from which as much revenue as possible should be obtained. The ryots' forests, on the other*

hand, are those which are near villages and are not so important commercially but are important to the local people (*Legislative Council Proceedings, Volume* 41, *page* 242). Once the principle is admitted of allowing villagers the use of ryots' forests without any regard for income to Government—and it could not have been more clearly and liberally admitted than in the words just quoted and the words quoted higher up quoted from the Indian Forest Code, it follows that full facilities should be afforded for the exercise of this right, without harassing restrictions; and the only check to be imposed would be in the interests of adjoining villagers—not in the interests of forest income, or even in the interests of distant villagers. The abuse of the right by some persons should not be visited with punishment on all the villagers. If the Forest Village System which admittedly has never been popular in this district and was forced on the villagers has not been found to work satisfactorily recently, the Village Panchayat System with full power vested in the panchayats under the supervision, guidance and control of the Revenue department might be introduced. This was the request made in the memorials of the villagers of Hosabettu and Todar, ending with the one in 1928 supported by a note made by Mr. J. A. Saldanha, the then M.L.C., and rejected by Government in their G.O. Mis. No. 38, dated 7th January 1929 (Development Department). The Forest Village System which was introduced for the benefit of villagers residing within such forests appears to be inappropriate to ryots living outside the forests. We would recall the statement made by Sir Archibald Campbell in the Legislative Council on 16th March 1928 (Legislative Council Proceedings, Volume 41, page 242), that the *policy of Government in regard to those reserves which come under the class of "ryots' forests important to local people" has been to transfer them to the management of panchayats of local inhabitants.*

If these panchayats do not work satisfactorily, every endeavour should be made to improve them. It should be remembered that ryots' forests are for the benefit of the villagers; and even if the panchayats cannot be weeded of their defects, this evil is to be preferred to the evil of placing difficulties in the pursuit of agriculture already in a depressed state, imposing harassing restrictions on villagers and incurring heavy expenditure on highly paid supervising officers, and corrupt subordinate staff, who, in the opinion of the Government of India (vide its resolution already quoted), cannot rightly be invested with power over villagers.

We beg, in these circumstances, that the order of cancellation of the concessions referred to may be withdrawn, or that at least it may be suspended pending a full investigation by a committee including some non-officials.